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FROM-BEUSSE BROWNLEE ET AL

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P.02/11 T-207

F-263

PTO-1380 (Rev. 07-2004)
PTO-1380 (Rev. 07-2004)
Approved for see through 3/31/2007 OMB 0651-0021
U.S. Patont and Trademan Office: U.S. PEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unloss it displays a valid OMB control fluinteer.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)	ATITORNEY'S DOCKET NUMBER Houge 31-1-3-30/276
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	U.S. APPLICATION NO (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE 24 February 2003	PRIORITY DATE CLAMED 22 February 2002
TITLE OF INVENTION Crystallographic Metrology And Process Control	
APPLICANT(S) FOR DOJEO/US Erik C. Houge; Brian Kempshall; Stephen M. Schwarz; Fre	nd A Stavio
Applicant nerewith submits to the United States Designated/Elected Office (DO/E	O/US) the following items and other information:
1. This is a FIRST submission of items concerning a supmission under 35 U.S.C. 37	71.
2. This is a SECOND or SUBSEQUENT suppression of items concerning a submission	on under 35 U.S.C. 371.
This is an express request to pegin national examination procedures (35 U.S.C. 3 (5), (6), (9) and (21) indicated below.	71(f)). The submission must include items
4. The US has peen elected (Articks 31)	
5 A copy of the International Application as filled (35 U.S.C 371(c)(2))	
a is attached hereto (required only if not communicated by the internation	anai Bureau).
D. hés been communicated by the International Bureau	
c. I is not required, as the application was filed in the united States Receiv	ving Office (RO/U\$).
6. An English language translation of the International Application as filed (35 U.S.	C. 371(c)(2)).
a. Listached herato.	
b. has been previously supmitted under 35 U S C. 154(d)(4).	
7. Amendments to the claims of the international Application under PCT Article 19	(35 U.S.C. 371(c)(3))
a. are attached herato (required only if not communicated by the internal	ational Bureau).
b. have been communicated by the International Bureau.	
have not been made; however, the time limit for making such amend	monts has NOT expired.
d. have not been made and will not be made.	
An English language translation of the amendments to the claims undur PCT Ar	nicle 18 (35 u.S.C. 371(c)(3))
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	;
10. An English language translation of the annexes of the International Preliminary 6 Article 36 (35 U.S.C. 371(c)(5)).	Examination Report under PCT
Itoms 11 to 20 below concern document(s) or information included:	
11. An Information Disclosure Statement unger 37 CFR 1.97 and 1.98.	
12. An assignment document for reporting. A separate cover struct in compliance w	oth 37 CFR 3.26 and 3.31 is included.
13. A proliminary amengment.	
14. An Application Data Sheet under 37 CFR 1.76.	
15. A substitute specification.	.'
15. A power of aπorney and/or change of address letter.	
17 A computer-readable form of the sequence listing in accordance with PCT Rule	13rer.2 and 37 CFR 1.821- 1 825
18. A second copy of the published International Application under 35 U.S.C 154(d)	(4).
19. A second copy of the English language translation of the international Application	n under 35 U.S.C. 154(d)(4).
20. Other items or information:  The coascilien of information is required by 37 CFR 1.414 and 1.481-1.482. The information is required to	obl. a company

This objection of information is required by 37 CFK 1-914 and 1 eart-1-size. The information is required by 37 CFK 1-914 and 1 eart-1-size. The information is required by 36 U.S.C. 122 and 37 CFK 111 and 1.14 This collection is estimated to take 15 minutes in complete unduring galdiening afformation, preparing, and summitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the imposit of time you require to complete the form and/or supplessories for producing this burden, should be said to the Chief information Officer, U.S. Patient and Traderitain Officer, U.S. Department of Completes, P.O. Box 1450, Alexandria, VA 22313-1450. CO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT.

Page 1 of 2

PTO-1390 (Rev 07-2004) Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless 4 displays a valid QMB control number U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/US03/07264 Houge 31-1-3-30/276 CALCULATIONS PTO USE ONLY 21. The following foas are submitted: BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search tee (37 CFR 1.445(a)(2)) paid to USPTO and international Search Report not prepared by the EPO or JPO. International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report propured by the EPO or JPO ......... International pretiminary examination fee (37 CFR 1.482) paid to USPTO International preliminary examination fee (37 CFR 1 482) paid to USPTO and all claims estisted provisions of PCT Article 33(1)-(4) ..... ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the cath or declaration later than 30 months \$ from the earliest claimed priority data (37 CFR 1.492(6)). CLAIMS NUMBER FILED NUMBER EXTRA RATE x Total claims \$18.00 \$ independent claims \$86.00 \$ X MULTIPLE DEPENDENT CLAIM(S) (if applicable) \$290.00 \$ TOTAL OF ABOVE CALCULATIONS = \$ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced SUBTOTAL = \$ Processing red of \$130.00 for furnishing the English translation later than 30 months from the earliest claumed phority date (37 CFR 1.492(1)). TOTAL NATIONAL FEE = Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = Amount to be \$ refunded. Amount to be \$ charged: A check in the amount or \$ \_ to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of \$\_ A auplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. A duplicate copy of this shoul is enclosed. 🗀 .ه Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to hevive (37%) 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: James H. Beusse Beusse Brownlee Wolter Mora & Maire, P.A. Jámes H. Beusse 390 N. Orange Avenue, Suite 2500 NAME Orlando, FL 32801

Page 2 of 2

FORM PTO-1390 (REV. 7-2004)

27,115

REGISTRATION NUMBER

## RECEIVED CENTRAL FAX CENTER

MAR 0 2 2005

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant:

Erik C. Houge

E.II. G. 1 1009.

Examiner:

Not Assigned

Serial No.:

10/505,198

Art Unit:

Filed:

08/19/2004

Confirmation No. 3717

For:

Crystallographic Metrology

And Process Control

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated as mailed January 3, 2005 and having a period of response to and including March 3, 2005, enclosed are the following items required for filing in the above-referenced U.S. Patent Application:

- 1. 371 Formalities Letter (Confirmation No.3717)
- 2. Oath and Declaration (5)

Respectfully submitted,

James H. Beusse Rog. No. 27,115

Beusse Brownlee Wolter Mora & Maire, P.A.

390 N. Orange Avenue, Suite 2500

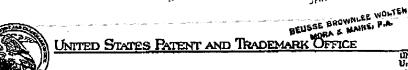
Orlando, FL 32801 Phone: (407) 926-7701

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY that this <u>Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US)</u> is being FAXED to the U.S. Patent Office at 703-872-9306 (Central Fax Number) on this <u>2nd</u> day of <u>March. 2005</u>.

James H. Benes

CHOY I I HAL



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Wedomber Office address COMMERCOUR FOR PATENTS FOR 159 Absorber Vigera 22313-1430

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT
10/505,198 Erik C Houge

ATTY DOCKET NO Houge 31-1-3-30/276

International application no

PCT/US03/07264

James H Beusse Beusse Brownlee Wolter Mora & Maire PA 390 N Orange Avenue Suite 2500 Orlando, FL 32801 1A F0 NO DATE PRIORITY DATE
02/24/2003 02/22/2002

Date Mailed: 01/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/19/2004
- Copy of the International Search Report filed on 08/19/2004
- Request for Immediate Examination filed on 08/19/2004
- U.S. Basic National Fees filed on 08/19/2004
- Priority Documents filed on 08/19/2004

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

 Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER, FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

4079267720

T-207 P.06/11 F-263

LAMONT M HUNTER

Telephone. (703) 305-3686

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	international application no	ATTY DOCKET NO
10/505,198	PCT/US03/07264	Houge 31-1-3-30/276

FORM PCT/DO/EO/905 (371 Formalities Notice)

# MAR-02

# BEUSSE BROWNLEE WOLTER RECEIVED MORA & MAIRE, P.A. CENTRAL FAX CENTER

MAR 0 2 2005

TO	I ROM	
	James H. Beusse	
COMPANY	DATE	
U.S. Patent Office	March 2, 2005	
гах исмвик 703-872-9306 – Central Fax No.	TOTAL NO. OF PAGES INCLUDING LE	いんはば
PHONE NUMBER 1-866-217-9197	SENDER'S REFERENCE NUMBER 075903-276	
RE: 10/505,198	YOUR REPERFINCH NUMBER-	
☑ URGENT ☐ FOR REVIEW ☐ PLEASE	COMMENT   PLEASE REPLY	□ plrase recycl

NOTES/COMMINTS:

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Please confirm receipt.

THANKS.

390 NORTH ORANGE AVENUE, SUITE 2500, ORLANDO, PLORIDA 32801 TRLEPHONE: (407) 926-7700 PAX: 407-926-7720